No. 17,168.

WASHINGTON, D. C., THURSDAY, SEPTEMBER 26, 1907-TWENTY-TWO PAGES.

TWO CENTS.

# STANDARD DODGED THE HEPBURN LAW Effort to Force Him to Be Re-

Evaded the Necessity for Filing Oil Tariffs.

CHOPPED UP THE PIPE LINES

Kept Them All as Intrastate Car-

C. M. PAYNE PUT ON THE STAND

Said His Chief Duty Was to Sign Papers Without Reading Them.

Conveniently Ignorant.

NEW YORK, September 26.-C. M. Payne, who, with H. C. Folger, jr., owns the Corsicana Refining Company of Texas, was on the witness stand again today in the government's suit against the Standard Oil Company, and gave further information concerning the pipe lines of the so-called oil trust over which he has general supervision. rsey and Pennsylvania, where the

"It is not a delivery station, is it?" asked Mr. Kellogg after the witness had testified that at Center Bridge the oil from the that at Center Bridge the oil from the pipes of the National Company was pumped into the pipes of the Standard Oil Company was pumped into the pipes of the Standard Oil Company of New Jersey

"It is a pumping station," answered the

Transit Company showing that tanks were built in Center Bridge in 1906. What were "For the purposes of making a delivery at

a delivery station," replied Mr. Payne. To whom did you deliver the oil there?"

"To the Standard Oli Company of New Jersey," answered Mr. Payne.

"Do you deliver to any one else?" "No." "No one else has asked for a delivery of

Envenne, N. J., at tidewater

oil there?"

"No, not that I know of," said Mr. Payne. Advice by Milburn.

"Now, is it not the Southern Pipe Line Company that delivers oil at Center Bridge

instead of the National Transit Company?" "I do not think so," said Mr. Payne. "You built the tanks at Center Bridge in 1906. Who advised you to build them?" "I did," interposed Mr. Milburn of the

defendant's counsel, "for I thought under the law that there should be a delivery point there. I thought it excellent legal "I den't," said Mr. Kellogg, who then asked the witness the location of Fond

'It is on the state line between Pennsylvania and Maryland, said Mr. Payne.
"What pipe line companies connect at

The National Transit Company line connects with the pipe line of the Standard Oil Company of New Jersey," answered the

'Is there anything but a tank and pump-

Ing station at Fond Grove?"
"I don't think so," said Mr. Payne.
Mr. Kellogg spread on the record that several pipe lines of subsidiary companies of the Standard made a shipping point at Marcus Hook, Pa., and that the old through the place came from Cyanet Obio. Just Signs His Name.

"Do you know if the Standard has a pipe hne between New York and Brooklyn?" "I do not know," answered Mr. Payne. "I have heard of it and read that there was a pipe line under the Hudson and East

"And as vice president of the trunk pipe lines you don't know if there is a pipe line between New York and Brooklyn?" "I have heard there was, but don't know it of my own knowledge," said Mr.

Now, let us see what your duties are as vice president of the National Transit Com-Well remarks Kellogg. il, principally to sign my name to

s, answered Mr. Payne, you read these papers?"

I rend some of them," replied Mr. Payne, who stated that many papers were submitted to him for signature by the directors and officers. Mr. Payne testified that he leved that previous to 1965 the National Transit Company operated the pipe line between Unionvike and Bayonne, N. J., which now operated by the Standard Oil Com-New Jersey. Mr. Payne said he companies concerning the cost of opera-

## Yesterday's Proceedings.

How the Standard Oil Company was able sold it was brought out by Federal Attorney Kellogg in the Standard Oil hearing yestermanager of the mining interests of the Standard Oil Company, and a partner in the Corseana refinery of Texas. This Corsicana refinery, it was brought out, was built on money put up by the National Transit Company, a Standard Oil sub-sidiary, of which John D. Archbold is vice

idly attitude toward the Standard was suggested by Daniel O'Day, one of the National Transit Company, that Folger and Payne should buy it. Payne was another employe of the Standard. They thought it might be a good thing to buy it. Mr. Folger said, so they price was \$992.644. It was to be paid within ten years, but no amounts

Folger and Payne since their purchase the company have kept no books except

"In other words, it runs on just the same before you purchased it?" sald Mr. Kel-

He and Payne had received \$45,000 fee company, he said, and had paid \$109,000 on the purchase price. This was in 1906, Under the date of December 31, 1906, one of the leading accounts payable on the National Transit books was the item "Folger and Payne, \$536,259." Mr. Folger could not explain this item, he said, for the Na-(Continued on Third Page.)

# PRESIDENT'S FRIENDS

publican Nominee

IF BRYAN IS HIS OPPONENT

Compel Democrats to Hold Convention First.

To the Scheme, But They Think He Is the Only One Who Can

Beat Bryan.

Will the next republican national con vention be held after the democratic na-

The answer to that remains in the hands of President Roosevelt's friends, and there is an inside tip that the Roosevelt people are determined to force the democrats to hold their convention first, if possible, and they believe they will succeed.

The motive for this is declared to be that, in case Bryan is nominated, the Roosevelt people will use every pressure to have the President renominated, despite his reiterated statement that nothing can induce Mr. Payne said that at the terminus of the him to accept. The Bryan bogy, it is hinted, is to be used for all it is worth to scare the conservatives of the country into the idea that Roosevelt is the only man who can defeat Bryan, and that as between these two it is the duty of the conservatives to relinquish their personal opposition to Roosevelt and unite in crushing the Nebraskan for the third time. If the re-publicans hold their convention first it may not be so easy, it is thought, to wave the and that strong men will be sent to the convention who will not permit themselves to be swept off their feet by a Roosevelt hurrah. This is not to the liking of the "I show you a statement of the National Roosevelt boomers, and they want the nomination delayed as long as possible.

A Short Campaign.

Resides the use that would be made of the Bryan scarecrow, the Roosevelt people believe that a short campaign would be to their advantage should they succeed in asked Mr. Kellogg, who contends that the nated to succeed himself. It is practically their plans to have the President nomi- LATEST NEWS DECLARES ONLY Standard Oil Company has evaded the Hepburn law of 1906, which provided that pipe that if Roosevelt should accept a nomina-carriers shall submit schedules of tariff to tion the democrats would make the camcir terminals and that the real terminal is paign almost wifelly on an anti-third term latform, in which the horrors of a monareratic leader, might succeed in impressing from Paris for Cherbourg. the country with the cry of the dangers of a third term. If their convention is held early and Roosevelt should be nominated Bryan would have opportunity to a stretcher and was placed in the care of stir the country with his eloquent denuntry the ship's surgeon. The exact nature of clations of third term possibilities. He can her injuries had not been determined when talk consistently on this subject, too, inasmuch as when he was first nominated he expressed his belief that no President should hold office longer than one term and promised that he would not seek or accept another nomination should he be elected.

# Will Control the Committee.

Whether President Roosevelt is aware of the schemes being worked by his friends can not be stated. It is at least certain that he will be able to control the republican national committee, and that he can have the date for the convention fixed as he personally desires. Six months ago there was a great conspiracy to capture the national committee and elect Senator Penrose of Pennsylvania chairman. back, as Penrose is not liked by the President and his friends. The weak-kneed members of the committee who stood ready to join in the conspiracy have flunked since then and given the whole snap away to the President. There is now no doubt that the administration will control the national ommittee when it meets here in December to select a time and place for the next national convention. Then will be fought out the question of an early or late convention. The attitude of the Roosevelt people on the committee is a foregone concluunless their program is hereafter

# THE LUSITANIA REPORTED.

#### Ocean Liner Is Making 23.6 Knots Per Hour.

ON BOARD STEAMSHIP LUSITANIA, September 25, 10 p.m. thy wireless via Cape New York Representative Tells of Re-Race).-At 10 o'clock tonight the Lusitania was approximately in latitude 48.50 north. longitude 37.10 west, 1,680 miles from New York and 1,135 miles from Queenstown. She is making 23.6 knots per hour. The weather is cloudy, the wind easterly and light and the sea heavy.

OUEENSTOWN. September 26.-The steamer Lusitania, from New York September 21, communicated by wireless telegraphy with Brow Head, seventy miles from here, at 3:55 p.m. today, put the distance of the steamer from that point could not be ascertained.

A wireless message from the Lusitania substituting companies, and how a concern can be sold and still be run by those who sold it was become that up to noon Tuesday the steamer had run 525 miles. This, with the former boat owned by the steamer had run 525 miles. run, 369 miles to noon Sunday and 524 miles to noon Monday, made her 1,418 miles She had gone about 32.2 degrees of longitude, so that her running time was about 63 hours 10 minutes. Her time of departure was 6:41 Saturday evening. On these figures up to noon on Tuesday, ship's time, the Lusitania had averaged about 22.4 knots an hour. The message said the sea

Bremen correspondent telegraphs that Herr Wiegand, director of the North German Lloyd Steamship Company, says the report from New York that his company will build twenty-eight-knot steamers is rubbish adds that the company would gladly do it, but such speed in a merchant vessel cannot be attained. The North German Lloyd has enough fast ships for the immediate future. It does not intend to build any more.

# World's Radium Supply.

GENEVA, September 26.-A newspaper states that Prof. Joly has completed a Fronani, who is in the diplomatic service geological examination of specimens of at Washington. The couple sailed yesterthe strata collected from the borings for day for New York on the Adriatic. the Simplon tunnel. He found rich traces of radium, indicating larger deposits than



## FRENCH TRAIN WRECK

# ONE SERIOUSLY INJURED.

PARIS. September 26.-Nicholas Martin, agent of the White Star line, who returned chical government under Theodore I would be pictured and the people would be aroused here today from Cherbourg, says that Miss as never before with the idea that real democratic government was slipping away. The W. Earne, who was pinned in the wreck, Roosevelt boomers are said to anticipate this, and that is one of their reasons for wanting a short campaign—in fact, the shortest ever known in this country. They the mouth of the Breval tunnel near Man-fear that Bryan, or whoever is the demo- tes of the rear coach of the special train

Miss Haskell, who suffered greatly from shock, was taken on board the Adriatic on the steamer sailed.

#### SHOT THROUGH GOTHAM SEWER. Says He Had Not Time to Look at the Scenery.

NEW YORK, September 26 .- John Hoffnan, fifty-five years old, an employe in the bureau of sewers, was dropped into a fivefoot sewer in 3d avenue, near 128th street, owing to the breaking of a rope, and shot through the sewer to its terminus at Harlem river and 131st street. That he came out alive is considered remarkable. With several other employes Hoffman was

at work repairing the main sewer. They had almost finished their labors, when a heavy rainstorm started. Hoffman was down in the hole about four feet above the swiftly flowing water. Around his waist was a rope which was held by the men in the street above. As the water poured into the various sewers leading into the main pipe the water rose higher and the rope broke, and Hoffman fell into the water. His feliow-workmen immediately dashed up the avenue to 131st street, where the sewer runs into the Harlem river. Just as they reached the spot, Hoffman shot out into the river. He landed near a boathouse float, swam to it and held on until a policeman and workman rescued him. After being given dry clothes he went home. He told the policeman that he went through the sewer so fast he "didn't have time to look at the scenery.'

# SULZER'S EXCITING TRIP.

# markable Cruise.

pecial Dispatch to The Star. SEATTLE, Wash., September 26.-After ruising for three days among the ice floes off the coast of Siberia near Cape Serdze in gasoline boat in danger of being crushed at almost any minute, Representative William Sulzer of New York has got back with a story full of exciting experiences. He SECRETARY GARFIELD RETURNS. says that he and his three companions owe their lives to the sagacity of an Eskimo. whom they took along as a guide. Inci-dentally, he says, he learned a good deal of arctic lore in those three days. When, finally, a rift in the grinding polar pack showed them the way to clear water he

"We crossed Bering straits in a gasoline boat owned by two fur traders," said Mr. Sulzer, "and visited a number of Eskimo villages above East Cape. Aside from the two traders, a friend of mine and an Eskimo guide named Sigussa were in the boat and we had easy sailing, stopping at intervals to see the tribe villages until reached Cape Serdze. We anchored off a windward shore on September 1 and prepared to spend the night lying perhaps ten miles to seaward. That night the ice came in, and for three days we had to fight our way out through the pack."

# ZELIE DE LUSSAN MARRIED.

#### Wedded to Angelo Fronani, Who Resided Here at One Time. Special Cablegram to The Star.

LONDON, September 26.-It is just announced that the American opera singer. Zelie de Lussan, was married in London September 11, to a piano player named Angelo Fronani. He is the son of Emanuel

The bride is very well known in New of radium, indicating larger deposits than any hitherto discovered in Europe.

He believes that the presence of these deposits caused the abnormal heat experienced in building the tunnel. He predicts that continued research will prove the world's supply of radium is greater than was supposed.

The bride is very well known in New York and Washington; she sang for about twenty years in the former city. She is about forty-five years of age. The groom formerly resided in this city and for some years taught plane lessons. He traveled the has rested well and seems much improved. His temperature at midnight last night was 102 degrees.

# NOTICE.

The price of this paper at NEWSSTANDS and from NEWSBOYS is

# TWO CENTS.

There has been no change of any kind in the price of the paper to newsboys, and readers should pay no more than the printed price.

# SHARES TRACTION PROFITS

First Official Statement of Operations of Chicago's Settlement Ordinance. CHICAGO, September 26.-The city's share of the net profits of the Chicago City Railway Company for the first six months ending July 31 will be \$278,218.

This information was given yesterday in the first official statement of the financial results of the operation of the traction settlement ordinance made by President Mitten of the railway company in a letter to Receives Check for \$10,000 for Saving John A. Spor, chairman of the executive committee of directors.

The report shows that the total net profits for the period is \$503,550, and the company's share is \$225,348. These figures are based on the city getting 55 per cent and the company getting 45 per cent of the net profits, as provided in the ordinance. During the political canvass prior to the

election of April 3 last, at which the traction settlement ordinances were indorsed, the cry was heard that "net profits" under the ordinance would be "nil profits"-that the companies would see to it that no prof-

its were shown. Mr. Mitten's letter, a copy of which has been sent to Mayor Busse and City Controller Wilson, shows that the net profits to the city from the operation of the Chicago city railway ordinance alone will be nearly \$600,000 a year. With the Union Traction lines—earning 20 to 25 per cent more than the Chicago City lines—yet to be brought into the accounting system, it is conservatively estimated that the c.ty will have at least \$1,300,000 a year from the net profit division.

# No Business of Special Importance

Awaiting Attention. Secretary Garfield of the Department of

families. Alexander 111 frequently visited his father, and the present czar as frequently visited him.

Mr. Garfield said that no especial business was awaiting his attention beyond the routine of departmental work, and that his chief endeavor at present was to get his chief endeavor at present was to get his leaved.

During the morning the heads of the various bureaus of the department called to pay their respects to their chief. Secretary has divided in favor of the state of Washington the case of that state against a large number of settlers involv-ing about 50,000 acres of valuable land. There were several classes of claimants but the Secretary held against all except those who had settled on their lands before the state's selections were made.

Judge Parker, Mr. Garfield's secretary, who has been on leave, is also back.

Judge Crothers Reported Better.

ture at midnight last I from

# MR ROOT'S DEPARTURE

### WHY HE LEFT BEFORE THE PRESIDENT'S RETURN.

Department of State, who will act as priattached to the regular 3:40 train of the

The Secretary's first stop will be at San Antonio Saturday moraing. There he will be given a reception by local clubs and the Governor of Texas. Sunday morning the as they say Gov. Magoon is on the alert, party will proceed to Laredo, where they will be met by the Mexican reception committee, headed by Gen. Limantour, and will depart immediately for the City of Mexico, arriving there on the evening of September

In explanation of the failure of Secretary Root to await the return of President Roosevelt to the National capital before starting on his trip to Mexico, it is stated that he had previously conferred fully with the President at Oyster Bay in regard to the subject of his public utterances in the Mexican republic, and that his railroad schedule in the United States and Mexico precluded any delay in his departure from this city.

# LUCKY TRAIN ENGINEER

#### Chicago Woman's Life. CHICAGO, September 26 .- A Tribune spe-

cial from Kendall, Wis., says: John Franklyn, a Northwestern engineer, running between nere and Sparta, has received a check for \$10,000 with a promise of another for having saved the life of a woman at Devils lake a few weeks ago. Franklyn with his wife was spending a

few days at the lake. At the same time William Peterson, a wealthy Chicago man, with his wife, daughter and Miss Jenkins, a sister-in-law, also was encamped at the lake. One morning while out in a boat the girl and Miss Jenkins rowed over to a spring to get a drink. As Miss Jenkins attempted to get back into the boat she slipped, falling into the water. The impact drove the craft from shore, and, although she managed to get hold of the boat, she could not draw herself from the water. Franklyn rescued her just as her strength was about failing her, Miss Jenkins was one of the few who escaped from the Iroquois Theater holocaust in Chicago, and says the fears she is to die a violent death.

# POLITICS IN RUSSIA.

#### Constitutional Democrats to Emerge From Position of Outlawry. Special Cablegram to The Star.

ST. PETERSBURG, September 26.-By far the most important event of the conthe Interior arrived in Washington this the duma is the decision of the constitumorning from Mentor, Ohio, and was at his tional democrats to support the candidacy desk before 10 o'clock. Mr. Garfield has of Count Orloff Davydoff for membership in

desk before 10 o'clock. Mr. Garfield has spent the summer in a tour of the west and northwest looking into the affairs of the department in its various branches, and for the past month has been with his family at Mentor.

The Secretary said that he had enjoyed his summer immensely, and was all ready his faiher. Alexander III frequently visited his faiher, and the present czar as fremiralty committees.

# WANTED IN RICHMOND.

#### Police Asked to Look for Two Railroad Employes. RICHMOND, September 26.-The police

of Washington and Baltimore have been asked to keep a lookout for J. G. Donovan, a telegraph operator, and John Foster, a railroad clerk, both of whom are wanted in this city. The young men were at one time employed by the Chesapeake and Ohio road and lost their places. They went to a roundhouse and broke severe lamps and did other damage which amounted to more than a hundred dollars.

# As Was Stated in the Dispatch Known in Havana.

### DISCREDITED BY WAR DEPT

Agitation Because of Failure of Cer-

Gen. Barry's Dispatch. NEW YORK, September 26.-Cuban conspirators, whose plot to overthrow the pro-

visional government has been thwarted by Gov. Magoon, in Havana, attempted apparently to use the World to further their de-

fore the news or the plot became public, stating that a meeting of prominent merchants of Havana had been held Monday night and a resolution had been adopted to inform the world of the true state of Cuban affairs. The message then said that there would be a general uprising today and to-In language of alarm the message told of

Americans will be inevitable."

robability of any uprising agains Secretary Root left this city yesterday visional government in Cuba. It is true afternoon on his official visit to Mexico as they say that agitation among certain memthe guest of President Diaz. He was ac- bers of the colored population because of companied by Mrs. Root, Miss Root, two their failure to receive a proper share of servants and Mr. Percival Gassett of the the offices is rampant. The colored popuvate secretary and interpreter. The party who opposed Palma's government, and they occupied the private car Signet, which was claim they are not being fairly treated. A

> and that anything like an insurrection will be nipped in the bud. Gen. Oliver, acting Secretary of War, went over to the White House early this morning to see the President, but he did not regard the stories of a Cuban revolt of sufficient importance to bring it to the at-

> Gov. Magoon's views of the situation are practically in accord with the reports told in the press dispatches last night. He is keeping the War Department fully advised of the condition of affairs, and is consulting freely with Gen. Barry and other military officers in command of the army of Cuban pacification.

His dispatches for prudential reasons are not made public. The agitation has appeared in Havana province, as well as in the province of Pinar del Rio, in the latter province being confined to the lawless class, mainly negroes. In a large measure the governor is disposed to treat the whole matter as of no serious consequence, as their opposing the present agitation, and the rumors of attempted uprisings are generally unfounded. Gov. Magoon is disposed to treat the whole matter as a revival largely of old roorbacks, which make their appearance from time to time. In his dispatches the governor has made some reference to Moso Parra, and apparently shares with the newspaper correspondents the belief that he is to a large extent responsible for the reported movement. Gov. Magoon has reported that private and official advices from Santiago, Puerto Principe Santa Clara and Matanzas provinces indicate absolute tranquillity there,

# Gen. Barry's Dispatch.

During the day the following cable message was received at the War Department from Gen. Barry, commanding the army of Cuban pacification, dated Havana, Septem-

tation in Cuba, have been alive to situation for some days, though nothing has developed worthy or reporting. All intelligence officers and station commanders have been alert and have reported everything concerning it. Daily reports from them show tranquillity in all provinces except Pinar del Rio, where there is some slight agitatien among lawiess class, mainly negroes Am satisfied any situation which may arise will be promptly and successfully handled. In some official quarters in this city the impression prevails that the present politi-cal agitation in Cuba is backed and financed by certain interests desirous of forcing the United States to annex the island republic,

#### May Interfere With the President's Sightseeing.

four feet in the channel, will interfere with four feet in the channel, will interfere with the inspection of the upper river by the inland waterways commission. The commission will leave St. Paul to-

morrow and will join the President at Keodams stretch out into the river alm in many points.

# Secretary Moseley Improving.

Moseley today at the interstate commerce commission which was filled with reassuring indications that the father of the railroad safety appliances law is rapidly re-They were arrested and recognized by a covering his usual vigorous health. Mr.

## Weather.

Fair tonight: probably frost in exposed places. Tomorrow fair, slightly warmer.

# COLDLY DECLINED

New York Yacht Club Shirks Another Race.

# SIR THOMAS IS SNUBBED

Millionaires All Talk, But None of Them Contribute.

SOME OF THE EXCUSES GIVEN

Decision of the Club a Surprise to Outsiders-May Be a Sequel

LONDON. September 26.-Sir Thomas Lipton, although bitterly disappointed at the failure of the New York Yacht Club to accept his challenge, today authorized the Asso-

NEW YORK, September 26.-By an almost unanimous vote last night the New York Yacht Club declined the fourth challenge of Sir Thomas Lipton for an international yacht race to take place in American waters in October, 1908. The salient reason given for this refusal

clated Press to announce that he was

prepared to challenge with a ninety-

foot boat, under the new New York

Yacht Club rules.

Revolutionary leaders, the cable stated, were known to have taken to the interior arms and ammunition and machine guns which had never been turned over to the provisional government. "Give this the widest publicity; possibly save situation," the dispatch concluded.

Inquiry as to the identity of the analysis of the competing English yacht. This is contrary to the conditions of the deed of gift of the America's cup, the trophy which Sir Thomas has thrice striven valuely to win.

Another reason was that the club will not the conditions of the competing English yacht. This is contrary to the competing English yacht. This is contrary to the conditions of the deed of gift of the America's cup, the winds to the deed of gift of the America's cup, the trophy which Sir Thomas has thrice striven valuely to win.

was that the baronet had failed to name

race with smaller yachts than ninetyfooters.

The meeting lasted only thirty minutes, and while the members cheered at the close it was plain they felt anything but cheery. J. Pierpont Morgan and C. Oliver iselin and

others who have taken part in previous cup Surprise and Disappointment. The outcome will be a vast surprise and a keen disappointment to many who have

looked forward confidently to an accept-War Department officials discredit the ance of Sir Thomas' challenge under the So insistent had he been that these new rules govern future yacht races that it was deemed a foregone conclusion that his chal-

> lenge would adhere strictly to the lines laid down at the international conference in London in January, 1906. The meeting of the club was in the model room of the new clubhouse in West 44th street. There were forty-six present, in-

> cluding forty yacht owners, when Cornellus Vanderbilt, commodore of the club, called the meeting to order. As Secretary George A. Cormack read the challenge the members listened intently to every word. When he ended, a silence that could have been measured by five seconds succeeded, to be broken by murmurs of disappointment and annoyance, and then the

> buzz of excited converse. Sir Thomas, instead of adhering to the ninety-foot class, had challenged fourth race with sixty-eight raters-that is. yachts measuring seventy-five feet on the water line. He proposed in his challenge to build two boats and to bring the faster of the two to this country to race against a similarly bullt craft, without time allow-

# Lipton Avoided Dimensions.

Beyond stating that the competing beats would be sixty-eight-raters, the baronet had not named a single dimension. He had insisted that they be built under the new rules, which would mean that they must be cruising as well as racing yachts. His challenge made this one point clear-that he would not undertake another race with racthe leaders of the last revolution are actively opposing the present agitation, and one that could bear the brunt of a trans-

> decision, quickly declined the challenge.
>
> That the members, and especially the yacht owners, were disappointed and frittated by the terms of the challenge was vident when they left the meeting room. Most of the yacht owners went away in silence, but one of them, who declined to allow his name to be used, prophesied that no race would be possible, even if Lipton sent a modified challenge along the same

> It was said last night that the yacht owners of the club would not consent to a race under the new rules, but would insist on the right to be unrestricted as to the dimensions of the yacht to defend the cup. This would mean that they will hold to the old rules that allow racing ma-chines of which the Reliance, the last cup defender, is an extreme type, to be used.

#### A History of the Rules. As a matter of fact the New York Yacht

Club is not bound by any of the rules made, either by the committee appointed at the Atlantic coast conference in 1905, nor the triple committee at the international conference in London in January, 1906. The club at first accepted the rules of the American committee, adopted by many American yacht clubs, that racing yachts be built on cruising lines and that the scanting measurement which should esure stability prevail in their construc-

Later the New York Yacht Club repudiated these rules though Lewis Cass Ledyard, one of J. Pierpont Morgan's handy legal aids, who has been irreverently referred to by yachtsmen as a "sea law-yer," urged that they be retained. Hence the club last night was in a posi-

Thomas gets his answer it will be made clear that no challenge that does not involve a race with ninety-footers will be as ceptable. It was said, too, that it would be pointed out to the baronet that the Eng-"freak type" of racing yacht and that the America's cup was wen under these condi-tions. The conclusion will be that it is fair that it should be recovered by an Eng-

# CALLS FOR A SHOW DOWN.

#### Millionaires May Be Forced to Define Their Position.

NEW YORK, September 26 -- Yachtsmen here in discussing the rejection of Sir Thomas Lipton's latest challenge for the America's cup think that in nominating a boat to rate in the sixty-eight-foot class-

# NO CUBAN REBELLION LIPTON CHALLENGE

# Message Received by New York Newspaper in Advance.

## NO MEETING OF MERCHANTS

tain Class to Receive Recognition.

An unsigned cable of 182 words was received by the newspaper several hours be-

credit impaired, property in danger and a general anarchistic demonstration to follow, all for the purpose of "causing an embarrassing situation at Washington." It added that if "American troops shed Cuban blood a general uprising and open war against

Inquiry as to the identity of the sender of the message disclosed that it was "Merchants' Association, 30 Seulueta street." The dispatch bore evidence of having been prepared by an experienced cable correspondent, but investigation showed there is the such organization in Hayana as the no such organization in Havana as the "Merchants' Association." The address given is that of the conservative and exclusive Union Club, and no knowledge of a meeting of merchants.

## meeting of merchants of any sort in Ha-vana could be learned. Discredited at War Department.

lation compose 90 per cent of the people continuation of this agitation, it is admit-ted, might have the effect of causing some of the more desperate malcontents to at-

tention of the Chief Executive.

"Referring to newspaper accounts of agi-

# MISSISSIPPI FLOOD HIGH.

LACROSSE, Wis., September 26.-Recent heavy rains, which have caused a rise of

kuk. All along the upper river from St. Paul to Keokuk nearly every dam and lish first began to build what is termed the piece of improvement work done by the government in recent years is under water. The river now has the appearance of having a good channel almost from shore to shore, when, in fact, innumerable wing touching the boat's hull beneath the water

# A letter was received from Secretary

They were arrested and recognized by a magistrate for their appearance in court. They left the city and when last heard from were in Washington and on their way to Beltimore.

Covering his usual vigorous health. Mr. Mr. Moseley stated that by permission of his doctor he spent considerable time on his from the way from the spent considerable time on his from the sp